

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, California 93401-5427**

**WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2002-026  
NPDES NO. CA0047996  
Waste Discharger Identification No. 3 270101001**

For

**CARMEL AREA WASTEWATER DISTRICT AND  
PEBBLE BEACH COMMUNITY SERVICES DISTRICT  
MONTEREY COUNTY**

The California Regional Water Quality Control Board, Central Coast Region, (hereafter "Board"), finds:

1. The Carmel Area Wastewater District, a governmental agency, owns and operates a wastewater collection, treatment, and disposal system to provide sewerage service for residential and commercial sources, including restaurants, in
  - a. the City of Carmel-by-the-Sea, a governmental agency,
  - b. the Pebble Beach Community Services District, a governmental agency, and
  - c. outlying county areas
2. The Carmel Area Wastewater District has agreed to provide one third of its treatment and disposal capacity to the Pebble Beach Community Services District.
3. The Pebble Beach Community Services District, owns, operates, and has direct responsibility for a wastewater collection and transport system for residential and commercial sources in its constituent area. That responsibility transfers to the Carmel Area Wastewater District once the collected sewage enters interceptors owned and operated by the Carmel Area Wastewater District.
4. It is incumbent upon the Carmel Area Wastewater District and the Pebble Beach Community Services District to protect the environment to the greatest degree possible and insure their respective collection systems and receiving sewerage systems are protected and utilized properly. This responsibility includes preventing overflows and may include restricting or prohibiting the volume, type, or concentration of wastes added to the system.
5. The Board last issued NPDES Permit No. CA0047996 on July 14, 2000, under Board Order No. 00-061. The Discharger appealed Order No. 00-061 to the State Board in August 2000. In August 2001, Regional Board staff agreed to hold a new hearing of this permit. The State Board has placed the Discharger's petition into abeyance until 30 days after the new hearing.
6. The Carmel Area Wastewater District's treatment facility, located as shown on Attachment "A", is designed to process an annual average daily flow rate of 3.00 million gallons per day (MGD). Actual flows over the last three years ranged from 1.48 MGD to 1.89 MGD.
7. Wastewater treatment consists of grit removal, primary settling, flow equalization, activated sludge contact, clarification, chlorination, and dechlorination. Sludge is anaerobically digested, de-watered by a belt press, and hauled for land application or composting by a second party.
8. Treated wastewater is either recycled or discharged to the Pacific Ocean. The recycling project is regulated under a separate Board

Order. Ocean discharge occurs through a 600-foot outfall/diffuser system. The outfall terminates in Carmel Bay within the Monterey Bay National Marine Sanctuary (36° 32' 00" N. Latitude, 121° 55' 43" W. Longitude) in approximately 35 feet of water. The minimum initial dilution (seawater:effluent) of the outfall is 121:1.

9. The Environmental Protection Agency and Board classify this discharge as a major discharge.
10. Effluent is discharged to a portion of the Pacific Ocean designated as the Monterey Bay National Marine Sanctuary. The entire Monterey Bay was officially designated as a National Marine Sanctuary on September 15, 1992. The National Marine Sanctuaries Program is mandated by Title III of the Marine Protection, Research, and Sanctuaries Act of 1972. The Program protects areas of the marine environment that possess conservation, recreational, ecological, historical, research, educational, or aesthetic qualities of special national significance. The first priority of the Program is the long-term protection of resources within a sanctuary. The Monterey Bay Sanctuary has been recognized for its unique and diverse biological and physical characteristics.
11. The State Water Resources Control Board (State Board) most recently adopted the "Water Quality Control Plan, Ocean Waters of California-California Ocean Plan" (California Ocean Plan) on December 3, 2001. The Ocean Plan contains objectives and requirements governing discharges to the Pacific Ocean.
12. The Ocean Plan provides that waste shall not be discharged to designated Areas of Special Biological Significance (ASBS), except for temporary activities specified in the Ocean Plan. The Ocean Plan also authorizes the State Water Resources Control Board to grant exceptions to Ocean Plan requirements in compliance with the California Environmental Quality Act, after a public hearing, subject to the concurrence of the U.S. Environmental Protection Agency, where the State Board determines the exception will not compromise protection of ocean waters for beneficial uses, and the public interest will be served. In 1984, the State Water Resources Control Board adopted Resolution No. 84-78, conditionally authorizing the Discharger to discharge wastewater from its treatment facility to the Carmel Bay ASBS. The conditions required annual monitoring, including mussel growth measurements, and a comprehensive study to be implemented every ten years, beginning in 1987, to evaluate the effects of the discharge on the ASBS, and determine whether there are changes as a result of the discharge. Additional conditions included compliance with flow limits established by the Regional Board, which must be included in the Discharger's NPDES permit. The State Board based this exception on the finding that discharges of secondary treated wastewater into the Carmel Bay ASBS had no significant adverse impact on Carmel Bay ecosystems. The State Board also found it was financially and economically infeasible for Discharger to cover the entire cost of advanced treatment needed for the wastewater to be recycled. The State Board has not revisited the 1984 exception to the Ocean Plan. The Discharger failed to implement the comprehensive study required in 1997 by Resolution No. 84-78.
13. The California Department of Fish and Game declared Point Lobos an Ecological Reserve in 1973. Commercial fishing is prohibited in this Reserve. The State Water Resources Control Board designated ocean waters within one-quarter mile offshore of Point Lobos' from Granite Point to the southernmost boundary of the Point Lobos State Reserve, as shown on Attachment "A", as an ASBS.
14. The State Board designated portions of Carmel Bay an ASBS on July 19, 1975 (Resolution No. 75-61). The ASBS is that part of Carmel Bay shoreward from an imaginary straight line between Pescadero Point and Granite Point as shown on Attachment "A". The Department of Fish and Game designated the same area as an Ecological Reserve on August 27, 1977. Commercial fishing is severely restricted within the boundaries of the Reserve.
15. The Water Quality Control Plan, Central Coast Basin (Basin Plan) was adopted by the Board and approved on September 8, 1994. The Basin

Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State waters including the Pacific Ocean.

16. Present and anticipated beneficial uses of the Pacific Ocean in the vicinity of the discharge include:
  - a. Industrial Water Supply,
  - b. Water Contact Recreation,
  - c. Water Non-Contact Recreation,
  - d. Aesthetic Enjoyment,
  - e. Navigation,
  - f. Commercial and Sport Fishing,
  - g. Mariculture,
  - h. Preservation and Enhancement of Areas of Special Biological Significance,
  - i. Rare, Threatened, and Endangered Species,
  - j. Marine Habitat,
  - k. Fish Migration and Spawning, and
  - l. Shellfish Harvesting
17. The California Water Code Section 13263.6 requires this Permit include effluent limitations for all substances that are reported in toxic chemical release data reports prepared pursuant to Section 313 of the Emergency Planning and Community Right to Know Act of 1986 (42 USC section 11023). There are no industries in the CAWD service area and no toxic chemical release reports have been submitted to the CAWD. Therefore, there are no substances to report that fall under this rule.
18. Discharges of toxic pollutants (listed in Table B of the Ocean Plan) are typically intermittent and more variable than discharges of conventional pollutants. Intermittent discharge of toxic pollutants may cause or contribute to an excursion above effluent limitations that may not be measured by annual samples of the effluent, and thus not be accounted for in a statistical analysis (Reasonable Potential Analysis) of the effluent. The Discharger's Reasonable Potential Analysis was based on 2 to 4 samples of each pollutant and U.S. EPA's default coefficient of variation, which provides insufficient statistical knowledge of actual effluent variability of each pollutant. The discharge to the Carmel Bay Area of Special Biological Significance (ASBS) and the Monterey Bay National Marine Sanctuary (MBNMS) warrants a greater knowledge of

actual effluent variability of each pollutant than the Discharger's Reasonable Potential Analysis has provided. No legal authority mandates the removal of existing effluent limitations from an NPDES permit based on the results of a Reasonable Potential Analysis based on effluent quality alone. Effluent limitations may be retained if the Board has a reasonable basis to do so. Additionally, elimination of the existing effluent limitations may violate the anti-backsliding provisions of federal Clean Water Act section 402(o). While there may be an exception to anti-backsliding, the fact that the discharge is to an ASBS and MBNMS means there is a heavier burden of proof to justify an exception. The anti-backsliding exception must be consistent with the anti-degradation policy. The anti-degradation policy provides that where high quality waters constitute an outstanding national resource, that water quality shall be maintained and protected. In addition, all dischargers of waste into MBNMS are prohibited unless specifically authorized by a state or federal permit (15 C.F.R. sec. 922.123). Consistent with the highest level of water quality protection required in Carmel Bay, all existing effluent limitations remain in the proposed permit.

19. A statistical evaluation of the Discharger's frequently monitored (i.e. daily or weekly) effluent data, long-term performance trends, and compliance with effluent limitations indicates minor reductions in monitoring frequency are appropriate for some constituents.
20. Waste discharge requirements for the existing discharge are exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et seq.) in accordance with section 13389 of the California Water Code.
21. The discharge has been subjected, and will continue to be subjected, to extensive monitoring to assure no environmental impacts on the ASBS. Other factors concerning impacts from growth were addressed in a final Environmental Impact Report certified in June 1979.

22. The U.S. Environmental Protection Agency promulgated Federal Regulations for stormwater discharges on November 19, 1990. The regulations [40 Code of Federal Regulations (CFR) Parts 122, 123, and 124] require specific categories of industrial activities including Publicly Owned Treatment Works (POTWs) which discharge storm water associated with industrial activity (industrial storm water) to obtain a NPDES permit and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to control pollutants in industrial storm water discharges.
23. The majority of storm water from the wastewater treatment facility process areas are collected and discharged to percolation beds. A small portion is directed to the wastewater treatment plant headworks and treated along with the wastewater. These storm water flows constitute all industrial storm water at this facility and consequently this permit regulates all industrial storm water discharge at this facility. The Carmel Area Wastewater District must still comply with the Industrial Activities Storm Water General permit adopted April 17, 1997. The regional Board approved an exemption from sampling stormwater runoff at the District's facility in June 11, 1993.
24. A permit and the privilege to discharge waste into waters of the State is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and of the Clean Water Act (as amended or supplemented by implementing guidelines and regulations) and with any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance. This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act and as Waste Discharge Requirements pursuant to the California Water Code. Compliance with this Order should assure conditions are met and mitigate any potential changes in water quality due to the project.
25. Discharge of any wastewater by the Carmel Area Wastewater District into the Carmel Bay ASBS is subject to the Ocean Plan exception adopted by the State Board in 1984. Additionally, all discharges of wastewater to the Monterey Bay National Marine Sanctuary are prohibited unless authorized by a state or federal permit that is accepted by NOAA. Pursuant to California Water Code section 13263, discharging waste is a privilege and not a right, and no discharge, even if authorized by permit, creates a vested right to continue the discharge. Pursuant to the State Board resolution, the Regional Board established a permitted flow limit of 3.0 MGD. Any increase in this flow limitation is subject to authorization by the Regional Board, in compliance with applicable provisions of the federal Clean Water Act, state Porter-Cologne Act, and applicable regulations. Any increase in wastewater discharge volume is prohibited by the Anti-degradation policy (40 C.F.R. section 131.12 and SWRCB Resolution 68-16) unless the Regional Board adopts findings, supported by evidence in the record, that justify authorizing additional waste load to the Carmel Bay ASBS and Monterey Bay National Marine Sanctuary. Note the Anti-degradation policy provides that where high quality waters constitute an outstanding National resource, that water quality shall be maintained and protected.
26. On December 21, 2001, the Board notified the public and interested agencies of its intent to reissued waste discharge requirements for the Discharger, provided them with an opportunity to submit their written views and recommendations, and scheduled a public hearing.
27. In a public hearing on March 22, 2002, in Salinas, the Board heard and considered all comments pertaining to the discharge and found this Order consistent with the above findings.
- July 6, 2007 Reponer and Modification
28. On July 6, 2007, at the Discharger's request, the Water Board reopened and modified the Permit to authorize a discharge of tertiary-quality effluent to the Carmel River Estuary, south of and immediately adjacent to the wastewater treatment facility. The outfall is located at 36° 32' 20" N. latitude, 121° 55' 11" W. longitude and results in the discharge of effluent onto the

surface of the habitat area. The discharge travels overland and via the subsurface to the portion of the Carmel River Estuary known as the Carmel Lagoon. Discharges at this point, totaling 10 to 20 million gallons annually, typically occur during the dry season, when low water levels in the Lagoon threaten populations of steelhead trout and other wildlife. Some tertiary treated effluent will also be discharged through this outfall during intermittent periods of reduced demand for reclaimed water. Discharges of reverse osmosis concentrate through this outfall are prohibited by the Order.

29. Present and anticipated beneficial uses of the Carmel River Estuary in the vicinity of the discharge include:

- Groundwater Recharge
- Water Contact Recreation
- Non-Contact Recreation
- Wildlife Habitat
- Cold Fresh Water Habitat
- Migration of Aquatic Organisms
- Spawning, reproduction, and/or Early Development
- Preservation of Biological Habitats of Special Significance
- Rare, Threatened, or Endangered Species
- Estuarine Habitat
- Commercial and Sport Fishing
- Shellfish Harvesting

30. USEPA adopted the National Toxics Rule (NTR) on December 22, 1992, and later amended it on May 4, 1995, and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the California Toxics Rule (CTR). The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the State. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants, which are applicable to discharges to the Carmel River Estuary.

31. On March 2, 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect

to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. For discharges to inland surface waters, enclosed bays, and estuaries of the State, the SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

32. This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. This Order establishes technology-based effluent limitations for biochemical oxygen demand (BOD5), total suspended solids (TSS), settleable solids, oil and grease, turbidity, and pH. These technology-based limitations implement the minimum, applicable federal technology-based requirements. The Order also contains effluent limitations in addition to the minimum, federal technology-based requirements, necessary to meet applicable water quality standards. These limitations are not more stringent than required by the CWA.

Water Quality Based Effluent Limitations (WQBELs) have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. For the lagoon discharge, to the extent that toxic pollutant WQBELs are derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR 131.38. Procedures for calculating individual WQBELs for priority pollutants are based on the CTR and the SIP, which was approved by USEPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000.

Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR 131.21 (c) (1).

Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.

33. The Order establishes requirements to monitor background levels of the CTR pollutants in the Carmel River Estuary. This monitoring is necessary to conduct reasonable potential analyses in accordance with methods required by the Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California. Monitoring for hardness in this receiving water enables determination of appropriate water quality criteria for the metals whose toxicity is hardness dependent.

34. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to reopen this Order to prescribe waste discharge requirements for the discharge to the Carmel River Estuary and has provided them with an opportunity to submit their written comments and recommendations.

35. The Regional Water Board, in a public meeting on July 6, 2007, heard and considered all comments pertaining to the discharge and found this Order consistent with the above findings.

**IT IS HEREBY ORDERED**, pursuant to authority in Section 13263 of the California Water Code, Carmel Area Wastewater District, its agents, successors, and assigns, may discharge waste at its Carmel Wastewater Treatment Facility, providing compliance is maintained with the following.

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Sections 13267 and 13383 of the California Water Code. Failure to submit reports in accordance with

schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Sections 13268 and 13385 of the California Water Code. The Regional Board will base all enforcement actions on the date of Order adoption.

The following references are used throughout this Permit to indicate the source for the Permit condition:

OP	Water Quality Control Plan, Ocean Waters of California
84-78	State Water Resources Control Board Resolution No. 84-78
ROWD	The Discharger's Report of Waste Discharge

#### A. PROHIBITIONS

1. The discharge of any radiological, chemical, or biological warfare agent or high-level radioactive waste into the ocean is prohibited.<sup>OP</sup>
2. Discharges of discrete, point-source sewage in a manner that would alter conditions from those occurring naturally in the area of the discharge, an ASBS, are prohibited.<sup>84-78</sup>
3. Federal law prohibits pipeline discharge of sludge to the ocean; the discharge of municipal and industrial waste sludge directly to the ocean, or into a waste stream that discharges to the ocean, is prohibited. The discharge of sludge digester supernatant directly to the ocean, or to a waste stream that discharges to the ocean without further treatment, is prohibited.<sup>OP</sup>
4. Discharge to Carmel Bay at a location other than 36° 32' 00" N. Latitude, 121° 55' 43" W. Longitude, shown on Attachment "A", is prohibited.<sup>ROWD</sup>
5. Discharge to the Carmel River Estuary at a location other than as described by this Order at 36° 32' 20" N. Latitude, 121° 55' 11" W. Longitude is prohibited.
6. Discharge of waste streams produced by the treatment of wastewater with reverse osmosis (reverse osmosis concentrate) to the Carmel

River Estuary, even if the reverse osmosis concentrate is blended with other treated wastewaters, is prohibited.

5.7. Discharge of anything other than that described in the Findings of this Permit is prohibited.  
ROWD, OP

**B. EFFLUENT LIMITATIONS FOR OCEAN DISCHARGE**

1. "Removal efficiencies" for Total Non-Filterable Residue (Suspended Solids) and Biochemical Oxygen Demand (BOD) shall not be less than 85 percent (40 CFR 133). In addition, effluent concentrations shall not exceed the following limits\*:

Constituent	Units	30-Day Average	7-Day Average	Daily Maximum
BOD <sub>5</sub>	mg/l	30	45	90
	lbs/day	750	1130	2250
	kg/day	340	510	1020
Total Non-Filterable Residue (Suspended Solids)	mg/l	30	45	90
	lbs/day	750	1130	2250
	kg/day	340	510	1020

2. Effluent shall not exceed the following limits.<sup>B</sup>

Constituent	Units	30-Day Average	7-Day Average	Daily Maximum
Grease and Oil*	mg/l	25	40	75
	lbs/day	630	1000	1880
	kg/day	280	450	850
Settleable Solids	ml/l	1.0	1.5	3.0
Turbidity	NTU	75	100	225

- \* For flows less than 3.0 MGD, mass emission rates shall not exceed the "Maximum Allowable Mass Emission Rate" as specified in the Standard Provisions and Reporting Requirements.

3. Effluent shall maintain pH within limits of 6.0 to 9.0 pH units at all times.<sup>OP</sup>
4. Effluent shall not exceed the following limits (minimum initial seawater:effluent dilution ratio equals 121:1).<sup>OP</sup>

a. PROTECTION OF MARINE AQUATIC LIFE\*\*

Constituents	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Arsenic	mg/l	0.61	3.54	9.40
Cadmium	mg/l	0.12	0.49	1.22
Chromium(Hex) <sup>1</sup>	mg/l	0.24	0.98	2.44
Copper	mg/l	0.12	1.22	3.42
Lead	mg/l	0.24	0.98	2.44
Mercury	µg/l	4.82	19.46	48.74
Nickel	mg/l	0.61	2.44	6.10
Selenium	mg/l	1.83	7.32	18.30

<sup>1</sup> The chromium limit may be met as Total Chromium as the Discharger chooses.



Constituents	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Silver	mg/l	0.07	0.33	0.84
Zinc	mg/l	1.47	8.79	23.43
Cyanide <sup>2</sup>	mg/l	0.12	0.49	1.22
Total Chlorine Residual	mg/l	0.24	0.98	7.32
Ammonia (as N)	mg/l	73.20	292.80	732.00
Acute Toxicity	TUa		3.9	
Chronic Toxicity	TUc		122.00	
Phenolic Compounds (non-chlorinated)	mg/l	3.66	14.64	36.60
Chlorinated Phenolics	mg/l	0.12	0.49	1.22
Endosulfan <sup>3</sup>	µg/l	1.10	2.20	3.29
Endrin	µg/l	0.24	0.49	0.73
HCH <sup>4</sup>	µg/l	0.49	0.98	1.46
Radioactivity <sup>5</sup>	Not to exceed limits specified in California Code of Regulations Title 22, Chapter 15, Article 5, Section 64443.			

## b. PROTECTION OF HUMAN HEALTH -- NONCARCINOGENS\*\*

Constituents	Units	30-Day Average
Acrolein	mg/l	26.84
Antimony	g/l	0.15
Bis(2-chloroethoxy) Methane	mg/l	0.54
Bis(2-chloroisopropyl) Ether	g/l	0.15
Chlorobenzene	mg/l	69.54
Chromium (III)	g/l	23.18
Di-n-butyl Phthalate	g/l	0.43
Dichlorobenzenes <sup>6</sup>	g/l	0.62
Diethyl Phthalate	g/l	4.03
Dimethyl Phthalate	g/l	100.04
4,6-dinitro-2-methylphenol	mg/l	26.84
2,4-dinitrophenol	mg/l	0.49
Ethylbenzene	g/l	0.50
Fluoranthene	mg/l	1.83
Hexachlorocyclopentadiene	mg/l	7.08
Nitrobenzene	mg/l	0.60
Thallium	mg/l	0.24
Toluene	g/l	10.37
Tributyltin	µg/l	0.17
1,1,1-trichloroethane	g/l	65.88

<sup>2</sup> The cyanide limit may be met by the combined measurements of free cyanide, simple alkali metal cyanides and weakly complexed organometallic complexes upon approval of the Regional Board and the U.S. Environmental Protection Agency.

<sup>3</sup> Endosulfan shall mean the sum of endosulfan-alpha and -beta and endosulfan sulfate.

<sup>4</sup> HCH shall mean the sum of the alpha, beta, gamma (lindane), and delta isomers of hexachlorocyclohexane.

<sup>5</sup> Effluent limitation on radioactivity shall apply to the undiluted combined effluent.

<sup>6</sup> Dichlorobenzenes shall mean the sum of 1,2- and 1,3-dichlorobenzene.

## c. PROTECTION OF HUMAN HEALTH -- CARCINOGENS\*\*

Constituents	Units	30-Day Average
Acrylonitrile	µg/l	12.20
Aldrin	ng/l	2.68
Benzene	mg/l	0.72
Benzidine	ng/l	8.42
Beryllium	µg/l	4.03
Bis(2-chloroethyl) Ether	µg/l	5.49
Bis(2-ethylhexyl) Phthalate	mg/l	0.43
Carbon tetrachloride	mg/l	0.11
Chlordane <sup>7</sup>	ng/l	2.81
Chlorodibromomethane	mg/l	1.05
Chloroform	mg/l	1.59
DDT <sup>8</sup>	ng/l	20.74
1,4-dichlorobenzene	mg/l	2.20
3,3-dichlorobenzidine	µg/l	0.99
1,2-dichloroethane	mg/l	3.4
1,1-dichloroethylene	mg/l	0.11
Dichlorobromomethane	mg/l	0.76
Dichloromethane	mg/l	54.90
1,3-dichloropropene	mg/l	1.09
Dieldrin	ng/l	4.88
2,4-dinitrotoluene	mg/l	0.32
1,2-diphenylhydrazine	µg/l	19.52
Halomethanes <sup>9</sup>	mg/l	15.86
Heptachlor	µg/l	0.006
Heptachlor epoxide	µg/l	0.002
Hexachlorobenzene	ng/l	25.62
Hexachlorobutadiene	mg/l	1.71
Hexachloroethane	mg/l	0.31
Isophorone	mg/l	89.06
N-nitrosodimethylamine	mg/l	0.89
N-nitrosodi-N-propylamine	mg/l	0.046
N-nitrosodiphenylamine	mg/l	0.31
PAHs <sup>10</sup>	µg/l	1.07
PCBs <sup>11</sup>	ng/l	2.32
TCDD equivalents <sup>12</sup>	pg/l	0.48

<sup>7</sup> Chlordane shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

<sup>8</sup> DDT shall mean the sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

<sup>9</sup> Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide), and chloromethane (methyl chloride).

<sup>10</sup> PAHs (polynuclear aromatic hydrocarbons) shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo(a)pyrene, chrysene, dibenzo(ah)anthracene, fluorene, indeno(1,2,3-cd)pyrene, phenanthrene, and pyrene.

<sup>11</sup> PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

<sup>12</sup> TCDD Equivalents shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as listed in Appendix I of the Ocean Plan.

Constituents	Units	30-Day Average
1,1,2,2-tetrachloroethane	mg/l	0.28
Tetrachloroethylene	mg/l	0.244
Toxaphene	ng/l	25.62
Trichloroethylene	mg/l	3.29
1,1,2-trichloroethane	mg/l	1.147
2,4,6-trichlorophenol	µg/l	35.38
Vinyl Chloride	mg/l	4.39

\*\* Based on California Ocean Plan criteria using a minimum initial dilution ratio of 121:1 (seawater:effluent). If the actual dilution is found to be less than this value, it will be recalculated and the Order revised.

- c. During any 24-hour period, the effluent mass emission rate shall not exceed the "Maximum Allowable Mass Emission Rate".
  - d. The Discharger shall report violations of the "Instantaneous Maximum" or "Maximum Allowable Daily Emission Rate" to the Executive Officer within 24 hours after discovery.
  - e. During any six-month period, the effluent mass emission rate shall not exceed the "Maximum Allowable Six month Median Mass Emission Rate."
5. Effluent daily dry weather average flow shall not exceed a monthly average of 3.0 MGD.
  6. The median number of total coliform organisms in effluent shall not exceed 230 per 100 milliliters, as determined from the bacteriological results of the last seven days for which analyses have been completed, and the number of coliform organisms in any sample shall not exceed 10,000 per 100 milliliters.<sup>OP</sup>
  7. Effluent shall be essentially free of materials and substances that:<sup>OP</sup>
    - a. float or become floatable upon discharge.
    - b. may form sediments which alter benthic communities or other aquatic life.
    - c. accumulate to toxic levels in marine waters, sediments or biota.
    - d. decrease the natural light to benthic communities and other marine life.
    - e. materials that result in aesthetically undesirable discoloration of the ocean surface.

**Table 1 - Shoreline Bacterial Limitations**

	Maximum	30-Day		60-Day	6-Month
		Geometric Mean	80% of Samples	90% of Samples	Geometric Mean
Total Coliform (MPN/100mL)	10,000		1,000		
Fecal Coliform (MPN/100mL)		200		400	
Enterococcus (MPN/100mL)		24			12

Where a "Geometric Mean" shall be a moving average based on no less than five samples per month, spread evenly over the time interval

**Table 2 - Water Column Bacterial Limitations (if shellfish are harvested)**

Parameter Applicable to Any 60-day Period	Total Coliform Organisms (MPN/100mL)
Median	70
10% of Samples	230

C. EFFLUENT LIMITATIONS FOR CARMEL RIVER ESTUARY DISCHARGE

- a. The Discharger shall maintain compliance with the following effluent limitations at the discharge point, with compliance measured at the monitoring location described in the attached MRP.

Effluent Limitations – Carmel River Estuary Discharge

<u>Parameter</u>	<u>Units</u>	<u>Effluent Limitations</u>	
		<u>5-Day Mean</u>	<u>Maximum Daily</u>
<u>BOD<sub>5</sub></u>	<u>mg/L</u>	<u>10</u>	<u>25</u>
	<u>lbs/day</u>	<u>125</u>	<u>208</u>
	<u>kg/day</u>	<u>57</u>	<u>170</u>
<u>TSS</u>	<u>mg/L</u>	<u>10</u>	<u>25</u>
	<u>lbs/day</u>	<u>125</u>	<u>208</u>
	<u>kg/day</u>	<u>57</u>	<u>170</u>
<u>Settleable Solids</u>	<u>mL/L/hr</u>	<u>---</u>	<u>0.1</u>
<u>Turbidity</u>	<u>NTUs</u>	<u>2</u>	<u>5</u>
<u>Oil &amp; Grease</u>	<u>mg/L</u>	<u>5.0</u>	<u>10</u>
<u>pH</u>	<u>std units</u>	<u>6.0 – 9.0 at all times</u>	
<u>Chlorine</u>	<u>µg/L</u>	<u>---</u>	<u>[1]</u>
<u>Acute Toxicity</u>	<u>% survival</u>	<u>---</u>	<u>[2]</u>
<u>Chronic Toxicity</u>	<u>TUc</u>	<u>---</u>	<u>1.0</u>
<u>Copper</u>	<u>µg/L</u>	<u>2.9</u>	<u>5.8</u>
<u>Mercury</u>	<u>µg/L</u>	<u>0.05</u>	<u>0.10</u>
<u>Nickel</u>	<u>µg/L</u>	<u>1.0</u>	<u>2.0</u>
<u>Zinc</u>	<u>µg/L</u>	<u>9.9</u>	<u>20</u>
<u>Cyanide</u>	<u>µg/L</u>	<u>0.5</u>	<u>1.0</u>

Notes: mass limits based on 1.5 MGD maximum effluent flow

- [1] When continuously monitored, total residual chlorine shall not exceed an average of 19 µg/L for more than 1 hour; nor shall total residual chlorine exceed an average of 11 µg/L for more than 4 days.

When continuous monitoring is not being used, total residual chlorine shall be less than 10 µg/L at all times.

- [2] Survival of test organisms exposed to 100 percent effluent shall not be significantly less, when compared using a t-test, to the survival of control organisms.

b. **Percent Removal:** The average monthly percent removal of BOD<sub>5</sub> and total suspended solids shall not be less than 85 percent.

c. **Bacteria:** The number of total coliform bacteria in effluent shall not exceed a geometric mean of 126 per 100 mLs; nor shall the number of coliform bacteria in any single sample exceed 298 per 100 mLs.

The number of enterococci bacteria in effluent shall not exceed a geometric mean of 33 per 100 mLs, nor shall the number of enterococci bacteria in any single sample exceed 78 per 100 mLs.

Numeric values described by this limitation are based on use of analytical methods 1106.1 or 160 or any equivalent method that measures viable bacteria.

d. **Rate of Discharge:** The daily dry weather average flow shall not exceed a monthly average of 1.5 MGD.

**D. RECEIVING WATER LIMITATIONS—**  
**PACIFIC OCEAN**—(Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors, and is designed to minimize the influence of the discharge in the receiving water.)

1. Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone used for water contact sports, as determined by the Regional Board, but including all kelp beds, the bacterial objectives of Table 1 shall be maintained throughout the water column.<sup>OP</sup>
2. The bacteriological limits of Table 2 are not to be exceeded in the water column in areas where shellfish are harvested.<sup>OP</sup>
3. Floating particulates and grease and oil shall not be visible on the ocean surface.<sup>OP</sup>

4. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.<sup>OP</sup>

5. Natural light shall not be significantly reduced at any point outside the initial dilution zone as the result of the discharge of waste.<sup>OP</sup>

6. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.<sup>OP</sup>

7. The dissolved oxygen concentrations shall not at any time be depressed more than 10 percent from that which occurs naturally, as the result of the discharge of oxygen demanding waste materials.<sup>OP</sup>

8. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.<sup>OP</sup>

9. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.<sup>OP</sup>

10. The concentration of substances set forth in Table B of the Ocean Plan shall not increase in marine sediments to levels that would degrade indigenous biota.<sup>OP</sup>

~~10. The concentration of substances set forth in Table B of the Ocean Plan shall not increase in marine sediments to levels that would degrade indigenous biota.~~ <sup>OP</sup>

~~11.~~

he concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life. <sup>OP</sup>

~~12.~~

utrient materials shall not cause objectionable aquatic growths or degrade indigenous biota. <sup>OP</sup>

13. Marine communities, including vertebrate, invertebrate, and plant species, shall not be degraded. <sup>OP</sup>

14. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered. <sup>OP</sup>

15. The concentration of organic materials in fish, shellfish or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health. <sup>OP</sup>

16. Discharge of radioactive waste shall not degrade marine life. <sup>OP</sup>

#### E. RECEIVING WATER LIMITATIONS—CARMEL RIVER ESTUARY

The following receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause a violation of the following receiving water limitations in the Carmel River Estuary.

1. Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater.
2. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that

cause nuisance, or that adversely affect beneficial uses.

3. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

4. Waters shall not contain suspended material in concentrations that causes nuisance or adversely affects beneficial uses. N

5. Waters shall not contain settleable material in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses.

6. Waters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.

7. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.

8. The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

9. An increase in concentrations of toxic metals and inorganic chemicals in waters that may adversely affect beneficial uses.

10. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits.

a. Where natural turbidity is between 0 and 50 Jackson Turbidity Units (JTU), increases shall not exceed 20 percent.

b. Where natural turbidity is between 50 and 100 JTU, increases shall not exceed 10 JTU.

- c. Where natural turbidity is greater than 100 JTU, increases shall not exceed 10 percent.
11. The pH value shall not be depressed below 7.0 nor raised above 8.3, nor shall changes in ambient pH levels exceed 0.5 pH units.
12. Dissolved oxygen concentrations in receiving waters shall not be reduced below 7 mg/L at any time. Median values should not fall below 85 percent saturation as a result of controllable water quality conditions.
13. Natural temperature of receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses. At no time or place shall the temperature be increased by more than 5° F above natural receiving water temperature.
14. All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge.
15. The discharge of wastes shall not cause concentrations of un-ionized ammonia (NH<sub>3</sub>) to exceed 0.025 mg/L (as N) in the receiving water.
16. No individual pesticide or combination of pesticides shall reach concentrations that adversely affect the beneficial uses of the receiving water. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods as prescribed in Standard Methods for the Examination of Water and Wastewater, latest edition, or other equivalent methods approved by the Executive Officer.
17. Waters shall not contain organic substances in concentrations greater than the following.
- |                             |                   |
|-----------------------------|-------------------|
| <u>Methylene Blue</u>       |                   |
| <u>Activated Substances</u> | <u>0.2 mg/L</u>   |
| <u>Phenols</u>              | <u>0.1 mg/L</u>   |
| <u>PCBs</u>                 | <u>0.3 µg/L</u>   |
| <u>Phthalate Esters</u>     | <u>0.002 µg/L</u> |
18. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.
19. Receiving waters shall not contain concentrations of chemical constituents known to be deleterious to fish or wildlife in excess of the levels presented in Chapter 3, Table 3-5 of the Basin Plan.
21. Cadmium shall not exceed 0.003 mg/L, when hardness in receiving waters is greater than 100 mg/L as CaCO<sub>3</sub>, nor shall cadmium exceed 0.0004 mg/L when hardness in receiving waters is equal to or less than 100 mg/L as CaCO<sub>3</sub>.
22. Chromium shall not exceed 0.01 mg/L in the receiving water.
23. Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100 mL, nor shall more than ten percent of samples collected in any 30-day period exceed 400/100 mL.
24. At all areas where shellfish may be harvested for human consumption, the median total coliform concentration throughout the water column for any 30-day period shall not exceed 70/100mL, nor shall more than ten percent of the samples collected during any 30-day period exceed 230/100 mL for a five-tube decimal dilution test or 330/100 mL when a three-tube decimal dilution is used.

**D.F. PROVISIONS**

1. The Discharger shall submit for Executive Officer approval no later than **September 22, 2002**, a work plan for the development of a comprehensive study of the discharge's effect on Carmel Bay. The study shall incorporate all pertinent receiving water data, define natural water quality conditions in Carmel Bay, and evaluate the discharge's effect on the natural water quality of Carmel Bay. If necessary, the Discharger shall participate in a working group with the Executive Officer that will be assigned such tasks as further defining the scope of the study, determining additional data needs, and evaluating the findings of the study. A written report of the study shall be submitted to the Executive Officer no later than **March 22, 2003**.<sup>84-78</sup>
2. The Discharger shall conduct a bacterial assessment if Receiving Water Limitations C.1 is consistently exceeded. If the bacterial assessment finds the discharge is the source of coliform or enterococcus bacteria, the Discharger shall conduct a survey to determine if the Discharge is the source of contamination. The survey shall be in accordance with a time schedule to be agreed upon in writing by the Executive Officer.<sup>OP</sup>
3. If the discharge consistently exceeds an effluent limitation based on a toxicity objective in Table 1, a toxicity reduction evaluation (TRE) is required. The TRE shall include all reasonable steps to identify the source of toxicity. Once the source(s) of toxicity is identified, the Discharger shall take all reasonable steps necessary to reduce toxicity to the required level.<sup>OP</sup>
4. Discharge to the Carmel River Estuary shall occur only during periods when resources agencies have determined that the water is needed for protection of sensitive species.
- 4.5. The Discharger shall comply with "Monitoring and Reporting Program No. R3-2002-026," as ordered by the Executive Officer.
- 5.6. The Discharger shall comply with all items of the attached "Standard Provisions and

Reporting Requirements for National Pollutant Discharge Elimination System Permits," dated January 1985, (also referred to as "Standard Provisions"). Paragraph (a) of item E.1. shall apply only if the bypass is for essential maintenance to assure efficient operation.

6.7. The Discharger may request Permit modification should the Ocean Plan be revised during the term of the Permit. All requests shall be in writing and shall contain facts or reasons supporting the request.

7.8. This permit may be modified in accordance with the requirements set forth at 40 Code of Federal Regulations, Part 122 and 124, to include appropriate conditions on limits based on newly available information, or to implement an EPA-approved new state water quality objective.

8.9. The discharger shall comply with all requirements of the most current Industrial Activities Storm Water General Permit (General Permit) adopted by the State Board, except the discharger is exempt from sampling stormwater runoff at its facility. The discharger shall implement a Storm Water Pollution Prevention Plan (SWPP Plan) in accordance with the General Permit. The SWPP Plan shall be reviewed and updated as appropriate before the next Permit reissuance or whenever appropriate.

9.10. This Order expires ~~expired on~~ March 22, 2007. However, and the Discharger must file a timely Report of Waste Discharge in accordance with Title 23, Chapter 3, Subchapter 9, of the California Administrative Code, not later than September 23, 2006, if it wishes and this Order is currently (since May 4, 2007) on administrative extension, allowing the Discharger to continue the discharge.

**IT IS FURTHER ORDERED**, that Pebble Beach Community Services District shall comply with relevant items of the "Standard Provisions and Reporting Requirements".



I, **Roger W. Briggs**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted ~~modified~~ as of July 16, 2007, by the California Regional Water Quality Control Board, Central Coast Region, on ~~March 22, 2002~~July 6, 2007.

Ordered By: \_\_\_\_\_  
Roger W. Briggs, Executive Officer

Date: \_\_\_\_\_

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